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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Redmon et al.

Serial No.: 09/049,227

Filed: March 27, 1998

For: STABLE DOSAGE FORMS OF  
FLUOXETINE AND ITS  
ENANTIOMERS

Attorney Docket No.: 4821-304

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RESPONSE TO NOTICE TO FILE MISSING PARTS

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application dated April 30, 1998, Applicants submit herewith a Declaration and Power of Attorney executed by the inventors on June 8, 1998, May 8, 1998 and May 28, 1998 respectively.

In accordance with the Notice, the fee required for filing the Oath is \$130.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

By Anthony M. Innes (Reg. No. 35,203)

Stanton T. Lawrence, III 25,736  
Stanton T. Lawrence, III (Reg. No.)

Date: June 10, 1998

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO./TITLE

09/049,227

09/27/98

REDMON

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4821-304

0232/0430

PENNIE & EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK NY 10036-2711

NOT ASSIGNED

DATE MAILED: 1614

04/30/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

04/30/98

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

☒ 1. The statutory basic filing fee is:

- ☐ missing  
☐ insufficient

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27)

☒ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for independent claims over 3.

\$ 1 for dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person-qualified under 37 CFR 1.42, 1.43 or 1.47.

06/18/1998 ☒ 5. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

01-EC-105 ☒ 6. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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